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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the assessment of  
2 fees for parking on roadways and in parking areas under the  
3 jurisdiction of the department of education can serve as a  
4 revenue source to benefit public education. Authorizing the  
5 department of education to assess fees for parking in areas and  
6 facilities under its jurisdiction will provide the department  
7 with another source of revenue to address the budget reductions  
8 and restrictions affecting public education.

9       The purpose of this Act is to authorize the department of  
10 education to assess fees for parking on roadways and in parking  
11 areas under its jurisdiction.

12       SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15       "§302A-     Parking; control by department. (a) The  
16 department may adopt rules in accordance with chapter 91 to

1 govern the traffic and parking conditions on roadways and other  
2 areas under the jurisdiction of the department.

3 (b) The department, in accordance with chapter 91 may:

4 (1) Assess fees for parking on roadways and in parking  
5 areas under the jurisdiction of the department; and

6 (2) Adopt rules relating to the assessment and collection  
7 of fees for parking specified in this section.

8 (c) Fees collected under this section shall be deposited  
9 into the same fund into which fees and charges assessed and  
10 collected by the department for the use of school facilities  
11 under section 302A-1148 are deposited; provided that any parking  
12 fees assessed and collected by a school shall be deposited to  
13 the credit of the school's nonappropriated local school fund  
14 account.

15 (d) The department may contract with the department of  
16 accounting and general services or a private entity to implement  
17 this section."

18 SECTION 3. Section 302A-1148, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "[~~§~~302A-1148~~]~~ Use of school facilities [~~for~~  
21 ~~recreational and community purposes.~~] and grounds. All public  
22 school buildings, facilities, and grounds shall be available for

1 general recreational purposes, and for public and community use,  
2 whenever these activities do not interfere with the normal and  
3 usual activities of the school and its pupils. Any other law to  
4 the contrary notwithstanding, the department shall adopt rules  
5 under chapter 91 as are deemed necessary to carry out the  
6 purposes of this section and may issue licenses, revocable  
7 permits, concessions, or rights of entry to school buildings and  
8 grounds for such periods of use as deemed appropriate by the  
9 department. All such dispositions, including those in excess of  
10 fourteen days, need not be approved by the board of land and  
11 natural resources; provided that approval by the board of land  
12 and natural resources shall be required when the dispositions  
13 are for periods in excess of a year. The department may assess  
14 and collect fees and charges from the users of school buildings,  
15 facilities, grounds, and equipment[~~-~~], which include fees and  
16 charges assessed and collected by the department for parking on  
17 roadways and in parking areas under the jurisdiction of the  
18 department, pursuant to section 302A- . The fees and charges  
19 shall be deposited into a separate fund and expended by the  
20 department under rules as may be adopted by the board[~~-~~];  
21 provided that any parking fees assessed and collected by a

1 school shall be deposited to the credit of that school's  
2 nonappropriated local school fund account."

3 SECTION 4. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect upon its approval.

6

**Report Title:**

Education; Parking Fees

**Description:**

Authorizes the DOE to adopt rules governing traffic and parking conditions on roadways and areas under the jurisdiction of the DOE, including rules for the assessment of parking fees. Provides that parking fees collected shall be deposited into the same fund into which fees and charges collected for the use of school facilities are deposited; provided that parking fees collected by a school shall be deposited to the credit of that school's nonappropriated local school fund account. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*